

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FELIX SUMMERS,

Petitioner,

v.

JOHN E. WETZEL, et al.,

Respondents.

CIVIL ACTION
NO. 13-3561

ORDER

AND NOW, this 20th day of November 2018, upon careful consideration of the Petition for Writ of Habeas Corpus (Doc. Nos. 1, 3), the Government's Response (Doc. No. 29), Petitioner's Memorandum of Law (Doc. Nos. 32), the Report and Recommendation of United States Chief Magistrate Judge Linda K. Caracappa (Doc. No. 36), and Petitioner's Objections to the Report and Recommendation (Doc. Nos. 37, 40), it is **ORDERED** that:

1. The Report and Recommendation (Doc. No. 36) is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. Nos. 1, 3) is **DENIED**.
3. A Certificate of Appealability **SHALL NOT** issue because, based on the analysis contained in the Chief Magistrate Judge's Report and Recommendation, as approved and adopted by this Court, a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the Habeas Petition. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).
4. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.